

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA

MACON DIVISION

FILED '25 04 01 AM 09:48 MDGR-MAC

QUESTIONNAIRE FOR THE PRISONERS PROCEEDING  
PRO SE UNDER 42 U.S.C. § 1983

RICO LAMAR BALLARD  
# 886719

(GIVE FULL NAME AND PRISON NUMBER OF PLAINTIFF)

Plaintiff

CIVIL ACTION NO:

WARDEN GEORGE IVEY <sup>VS.</sup> Individual and official capacity  
UNIT MANAGER EVONNE FOYE Individual and official capacity  
OFFICER DAISSY MORRIS Individual and official capacity

(NAME OF EACH DEFENDANT)

Defendant(s)

I. GENERAL INFORMATION

1. Your full name and prison number RICO LAMAR BALLARD 886719
2. Name and location of prison where you are now confined HANCOCK STATE PRISON
3. Sentence you are now serving (how long?) LIFE BUT I'M FALSELY IMPRISONED
  - (a) What were you convicted of? MURDER, FELONY MURDER  
AGGRAVATED ASSAULT MERGED INTO MALICE MURDER
  - (b) Name and location of court which imposed sentence  
FULTON COUNTY SUPERIOR COURT
  - (c) When was sentence imposed? 6-28-96
  - (d) Did you appeal your sentence and/or conviction? Yes ☒ No ☐
  - (e) What was the result of your appeal? ALLEGEDLY DENIED

(f) Approximate date your sentence will be completed

ALREADY COMPLETE  
FALSELY IMPRISONED

## II. PREVIOUS LAWSUITS

NOTE: FAILURE TO DISCLOSE ALL PRIOR CIVIL CASES MAY RESULT IN THE DISMISSAL OF THIS CASE. IF YOU ARE UNSURE OF ANY PRIOR CASES YOU HAVE FILED, THAT FACT MUST BE DISCLOSED AS WELL.

4. Other than an appeal of your conviction or sentence, and other than any habeas action, have you filed a lawsuit dealing with the same or similar facts or issues that are involved in this action?

Yes ☐ No ☒

5. If your answer to question 4 is "Yes," list that lawsuit below, giving the following information:

(IF YOU HAVE FILED MORE THAN ONE LAWSUIT, LIST OTHER LAWSUITS ON A SEPARATE SHEET OF PAPER, GIVING THE SAME INFORMATION FOR EACH)

(a) Parties to the previous lawsuit INVOLVING SAME FACTS:

Plaintiff(s): N/A

Defendant(s): N/A

(b) Name of Court: N/A

(c) Docket Number: N/A When did you file this lawsuit? N/A

(d) Name of judge assigned to case: N/A

(e) Is this case still pending? Yes ☐ No ☒

(f) If your answer to (e) is "No", when was it disposed of and what were the results?

(DID YOU WIN? WAS THE CASE DISMISSED? DID YOU APPEAL?)

N/A

6. Other than an appeal of your conviction or sentence, and other than any habeas action, have you ever filed any lawsuit while incarcerated or detained? Yes ☒ No ☐

7. If your answer to question 6 is "Yes," list that lawsuit below, giving the following information:

(IF YOU HAVE FILED MORE THAN ONE LAWSUIT, LIST OTHER LAWSUITS ON A SEPARATE SHEET OF PAPER, GIVING THE SAME INFORMATION FOR EACH)

(a) Parties to the previous lawsuit:

Plaintiff(s): Rico LAMAR BALLARD

Defendant(s): JACQUELYN BARRETT; Fulton County Jail; Northern District of Georgia

(b) Name of Court: NORTHERN DISTRICT OF GEORGIA

(c) Docket Number: 1:04-cv-3465 When did you file this lawsuit? I DON'T REMEMBER

(d) Name of judge assigned to case: RICHARD STORY

(e) Is this case still pending? Yes ☐ No ☒

Continuation of Previous Lawuits

- 2) Ballard-v-TERRIEL #6:09-cv-00002  
JUDGE B. AVANT EDENFIELD; JUDGE JAMES GRATHAM  
Filed 1-22-09; DATE ENDED: 4-25-11; Disposition: I  
won AGAINST ONE DEFENDANT BUT they ALLEGING I  
didn't
- 3) Ballard-v-MORALES 5:21-cv-138 JUDGE MARC T.  
TREADWELL; DATE FILED: 4-23-21 DATE ENDED: 10-1-21  
Disposition: Dismissed Without Prejudice
- 4) Ballard-v-HOLLAND 5:21-cv-139 JUDGE MARC T. TREADWELL  
DATE FILED: 4-23-21 DATE ENDED: DON'T REMEMBER
- 5) Ballard-v-MATTHEWS 5:21-cv-140 DATE FILED: 4-23-21
- 6) Ballard-v-GAINES 5:21-cv-141 DATE FILED: 4-23-21
- 7) Ballard-v-MORALES 5:21-cv-142 DATE FILED: 4-23-21  
DATE ENDED: I DON'T REMEMBER; Disposition: I don't  
REMEMBER BUT I BELIEVE I WON MATTHEWS IN A  
SETTLEMENT AGREEMENT; JUDGE MARC T. TREADWELL
- 8) Gumm-v-Ford 5:15-cv-41 DATE FILED: I DON'T  
REMEMBER; DATE ENDED: I DON'T REMEMBER AND MY LEGAL  
DOCUMENTS WERE STOLEN; Disposition: SETTLEMENT
- 9) Ballard-v-HOLLAND #22-10232-F NOTICE OF APPEAL  
11<sup>TH</sup> CIRCUIT COURT OF APPEALS - FILE DATE: 1-21-22, 1-25-22  
DATE ENDED: 3-31-22; Disposition: DISMISSED
- 10) Ballard-v-MORALES #21-13881-G NOTICE OF APPEAL  
11<sup>TH</sup> CIRCUIT COURT OF APPEALS; DATE FILED: 11-1-21/  
11-12-21/12-7-21/12-14-21 DATE ENDED: 9-26-22  
AFFIRMED; PETITION FOR REHEARING 10-12-22 DENIED

- (11) BALLARD-V-MATTHEWS 5:21-CV-140 NOTICE OF APPEAL  
11<sup>TH</sup> CIRCUIT COURT OF APPEAL #22-13730-H  
DON'T REMEMBER DECISION
- (12) BALLARD-V-WOODARD 4:22-CV-124 Filed: 6-16-22
- (13) BALLARD-V-PARISH 4:22-CV-123 Filed: 6-16-22
- (14) BALLARD-V-STRAWBERRY 4:22-CV-125 Filed: 6-16-22  
DATE ENDED: 7-11-22 Disposition: DISMISSED WITHOUT  
PREJUDICE WITH RIGHT TO REFILE
- (15) BALLARD-V-IVEY 5:24-CV-00377 Filed  
DATE ENDED: 11-7-24
- (16) BALLARD-V-IVEY NOTICE OF APPEAL 11<sup>TH</sup> CIRCUIT  
COURT OF APPEAL #24-13975-F PENDING
- (17) BALLARD-V-HOLLAND APPEAL #23-10608-D  
11<sup>TH</sup> CIRCUIT COURT OF APPEALS DON'T REMEMBER  
DECISION
- (18) BALLARD-V-PARISH 1:24-CV-06020  
PENDING

(f) If your answer to (e) is "No", when was it disposed of and what were the results?  
(DID YOU WIN? WAS THE CASE DISMISSED? DID YOU APPEAL?)

SETTLEMENT AGREEMENT THROUGH ATTORNEY B WARE

8. AS TO ANY LAWSUIT FILED IN ANY FEDERAL COURT in which you were permitted to proceed *in forma pauperis*, was any suit dismissed on the ground that it was frivolous, malicious, or failed to state a claim? Yes ☒ No ☐

If your answer is Yes, state the name of the court and docket number as to each case:

BALLARD-V-MORALES  
MIDDLE DISTRICT OF GEORGIA  
S:21-CV-138 ; ; NO. 21-13881; 2022 WL 4462253

### III. PLACE OF INCIDENT COMPLAINED ABOUT

9. Where did the matters you complain about in this lawsuit take place? HANCOCK STATE

PRISON G-1, G-2 AND SICK CALL IN G-1

(a) Does this institution have a grievance procedure? Yes ☒ No ☐

(b) If your answer to question 9(a) is "Yes", answer the following:

(1) Did you present your complaint(s) herein to the institution as a grievance?

Yes ☒ No ☐

(2) If Yes, what was the result? THE GRIEVANCE WAS DENIED

THE WARDEN COLLABORATED WITH HIS STAFFS AND DENIED THE TRUTH BUT ADMITS TO INTENTIONALLY PLACING ME PLACED ON TIER 2

(3) If No, explain why not:

YOU CAN NOT GRIEVE DISCIPLINARY ACTIONS OR DISCIPLINARY PROCEEDINGS

(c) What, if anything else, did you do or attempt to do to bring your complaint(s) to the attention of prison officials? Give dates and places and the names of persons talked to.

I SPOKE WITH DEPUTY WARDEN STANFORD  
ON

(d) Did you appeal any denial of your grievance to the highest level possible in the prison system? Yes ☐ No ☒

(1) If Yes, to whom did you appeal and what was the result? \_\_\_\_\_

(2) If No, explain why you did not appeal: COUNSELOR DENIED  
ME A GRIEVANCE APPEAL FORM

10. In what other institutions have been confined? Give dates of entry and exit.

GD CP; PHILLIPS STATE PRISON; HAYS STATE PRISON; SMITH STATE  
PRISON; WARE STATE PRISON; VALDOSTA STATE PRISON;  
SPECIAL MANAGEMENT UNIT; HANCOCK STATE PRISON;  
MACON STATE PRISON; I HAVE BEEN TO SOME OF THESE  
PRISONS SEVERAL TIMES AND I DON'T REMEMBER THE DATES

#### IV. PARTIES TO THIS LAWSUIT

11. List your CURRENT place of incarceration/ mailing address.

RICO LAMAR BALLARD 886719  
HANCOCK STATE PRISON  
P.O. BOX 339  
SPARTA, GA 31087

12. List the full name, the official position, and the place of employment of each defendant in this lawsuit. (ATTACH ADDITIONAL PAGES IF NECESSARY)

WARDEN GEORGE IVEY - HANCOCK STATE PRISON  
UNIT MANAGER EVONNE FOYE - HANCOCK STATE PRISON  
OFFICER DAISY MORRIS - HANCOCK STATE PRISON

## V. STATEMENT OF CLAIM

13. In the space hereafter provided, and on separate sheets of paper if necessary, set forth your claims and contentions against the defendant(s) you have named herein. Tell the court WHAT you contend happened to you, WHEN the incident(s) you complain about occurred, WHERE the incident(s) took place, HOW your constitutional rights were violated, and WHO violated them? Describe how each defendant was involved, including the names of other persons who were also involved. If you have more than one claim, number and set forth each claim SEPARATELY.

DO NOT GIVE ANY LEGAL ARGUMENT OR CIT ANY CASES OR STATUTES AT THIS TIME; if such is needed at a later time, the court will advise you of this and will afford you sufficient time to make such arguments. KEEP IN MIND THAT RULES 8 OF THE FEDERAL RULES OF CIVIL PROCEDURE REQUIRES THAT PLEADINGS BE SIMPLE, CONCISE, and DIRECT! If the court needs additional information from you, you will be notified.

WHERE did the incident you are complaining about occur? That is, at what institution or institutions? HANCOCK STATE PRISON G-1; G-2; G-1 SICK CALL

12-16-24 WHEN do you allege this incident took place? 12-27-24 AND

12-16-24 WHAT happened? ON 12-16-24 I WAS MOVED FROM MY ASSIGNED CELL G-1-109 WITHOUT MY APPROVAL AS I REPEATEDLY ASKED WARDEN IVEY AND DEPUTY WARDEN MAHONEY NOT TO MOVE INTO THE CELL WITH THIS UNKNOWN LOUD AND DISRUPTIVE INMATE WHOM HAD PREVIOUSLY THREATEN MY LIFE..... BUT REGARDLESS OF MY PLEADS NOT TO BE PLACED INTO THE CELL WITH THIS UNKNOWN LOUD AND DISRUPTIVE INMATE I WAS FORCED TO MOVE INTO CELL G-1-111 AND DURING THE PROCESS OF MOVING MY PROPERTY & MY LEGAL DOCUMENTS WERE STOLEN BY EITHER CERT TEAM SGT. SWINT OR SGT. DIXON..... MORESO... AFTER I'VE BEEN WITHIN THE CELL G-1-111 WHERE I WAS NEWLY ASSIGNED TO FOR ABOUT TWO OR THREE HOURS THE UNKNOWN INMATE BEGAN SMOKING A UNKNOWN SUBSTANCE AND WITHIN A MINUTE AFTERWARD - HE BEGAN

STABBING HIMSELF... I attempted to get the officer attention... OFFICER DAISSY MORRIS APPEARED AFTER SEVERAL UNSUCCESSFUL ATTEMPTS I GOT HER ATTENTION... AT THAT TIME I ADVISED THAT THE UNKNOWN INMATE WAS ~~WAGGING~~ WAGGING OUT AND STABBING HIMSELF AND THAT THEY NEEDED TO GET HIM OUT THE CELL"... IN THE COURSE OF ME ADVISING OFFICER ~~DAISSY~~ DAISSY MORRIS OF THIS... SGT. REDD APPEARED AND USHERED THE OFFICERS AND EVERYONE FROM THE CELL.

FURTHER, SEVERAL OTHER INMATES IN THE DORMITORY SCREAMED ON THE DOOR FOR ATLEAST A HOUR "THAT THE DUDE IN CELL #111 NEEDED HELP" BUT NOBODY CAME.

I DON'T KNOW THE EXACT TIME BUT ATLEAST A HOUR TO A HOUR AND A HALF AFTER SGT. REDD HAD USHERED THE OFFICERS FROM THE CELL... WARDEN IVEY AND SEVERAL OFFICERS CAME INTO THE DORM WHERE WARDEN IVEY WALKED UPSTAIRS AND OTHER INMATES BEGAN HOLLERING ON THE DOOR "THE INMATES IN CELL 111 ~~ASK~~ NEED HELP".

CERT TEAM SGT. SWINT APPEARED AT THE CELL DOOR 30 MINUTES LATER AND ASKED "WHERE IS YOUR ROOMMATE?" I REPLIED "HE'S ON THE FLOOR BY THE DOOR BLEEDING, HE STARTED STABBING HIMSELF". CERT TEAM SGT. SWINT TOLD ME TO COME TO THE DOOR WHICH I DID AND SHE HANDCUFFED ME AND OPENED THE DOOR THEN I STEPPED OVER THE UNKNOWN

inmate ~~existing~~ the cell as they escorted me to the kiosk.

WARDEN IVEY, CERT team Sgt. Swant and a few more officers gathered up the unknown inmate and pushed him to medical.

The newly assigned cell I was assigned to was searched and upon my return to the cell, I found that more of my legal documents and financial information had been stolen the only two individuals to search my cell was WARDEN IVEY and STG INVESTIGATOR LAWRENCE along with an inmate who cleaned the cell for them.

On the evening of 12-17-24, SGT. REDD and another officer pushed a disciplinary report under the cell door I was assigned to G-1-111 and upon reading the disciplinary report, I discovered that officer DAISSY MORRIS fabricated the disciplinary report with an false allegation by stating that "on 12-17-24 she observed me standing over my roommate with my hands covered in blood saying get him out the room right now"

First of all things... Didn't no altercation, incident or stabbing occur on 12-17-24... the alleged incident with my unknown roommate stabbing himself occurred on 12-16-24 But I was written up on false charges for assault

with serious injury on 12-17-24 at 7:41 AM by OFFICER DAISY MORRIS... the Disciplinary Report was ALLEGEDLY SERVED BY LT. DA'MARQUEZ CRAYTON at 7:50 PM. HOWEVER, SGT. REDD PUSHED THE D.R. UNDER MY CELL DOOR

ON 12-27-24 THE DISCIPLINARY REPORT WAS INVESTIGATED BY O.I.D. OFFICER SGT. MAY DEBORAH WHO RECOMMENDED THE DISCIPLINARY REPORT ~~WAS~~ BE DISMISSED BASED ON THE FACTUAL STATEMENT AND FINDINGS THAT THE INCIDENT OCCURRED ON 12-16-24

LATER ON WITHIN THE DAY ON 12-27-24 UNIT MANAGER EVONNE FOYE APPEARED AT MY ASSIGNED CELL G-1-111 STATING THAT SHE WAS THE DISCIPLINARY HEARING OFFICER... I ADVISED MS. FOYE THAT THE DISCIPLINARY REPORT HAD TO BE DISMISSED BECAUSE 1) THE FACTUAL STATEMENT DOESN'T SUPPORT THE CHARGE AND THE FACTUAL STATEMENT DIDN'T DESCRIBE THE INJURY OR A INJURY NOR HOW THE INJURY OCCURRED AS REQUIRED BY SOP 209.01

2) THE DISCIPLINARY REPORT OR THE FACTUAL STATEMENT DIDN'T STATE THE EXACT ~~TIME~~ DATE, TIME OR LOCATION (CELL) AS REQUIRED BY SOP 209.01

3) THE DISCIPLINARY REPORT OR THE FACTUAL STATEMENT DIDN'T STATE ANY PHYSICAL EVIDENCE

4) THE DISCIPLINARY REPORT OR THE FACTUAL STATEMENT DIDN'T INCLUDE A DESCRIPTION OF THE INCIDENT

(5) THE DISCIPLINARY REPORT OR THE FACTUAL STATEMENT DIDN'T ~~include~~ DESCRIBE HOW THE PERSON WAS ~~AS~~ ASSAULTED OR ~~THE~~ WHAT THE INJURIES WERE  
(6) THE DISCIPLINARY REPORT WAS NOT SERVED WITHIN 24 HOURS OF 12-16-24 AT EXACT TIME OF THE ALLEGED INCIDENT OCCURRED  
(7) THE DISCIPLINARY REPORT CHARGING OFFICER LIED ABOUT THE DATE AND TIME OF ALLEGED OFFENSE AND (8) THAT MY UNKNOWN ROOMMATE HAD SMOKED SOMETHING AND BEGAN STABBING HIMSELF AND "I WAS ONLY TRYING TO GET THE OFFICER TO HELP HIM"  
THE DISCIPLINARY HEARING OFFICER MS. FOYE REPLIED "WELL, I'M GIVING YOU A APPEAL FORM, YOU CAN STATE ALL THE REASON(S) WHY THIS DR SHOULD BE DISMISSED ON APPEAL"... I THEN STATED "I SHOULDN'T HAVE TO WRITE A APPEAL BECAUSE YOU ARE RIGHT HERE AND ACCORDING TO POLICY FOR D.R.'S, THIS DR HAS TO BE DISMISSED"... SHE REPLIED "YOU WERE THE ONLY ONE IN THERE WITH HIM AND I'M FINDING YOU GUILTY"

I REPEATEDLY ASKED "MS. FOYE NOT TO FIND ME GUILTY AND GO READ THE S.O.P POLICY ABOUT DISCIPLINARY REPORT PROCEDURES" AND ~~uttered~~ SHE UTTERED "WRITE A APPEAL" THEN SHE PUT A DISCIPLINARY REPORT APPEAL FORM IN MY CELL DOOR WALKED AWAY.

THE DISCIPLINARY HEARING OFFICER MS. EVONNE FOYE DID NOT CONDUCT THE DISCIPLINARY HEARING IN ACCORDANCE WITH SOP 209.01 BECAUSE SOP 209.01 OFFENDER DISCIPLINE (B)(1) STATES;

- (B)(1) UPON RECEIPT OF A DISCIPLINARY REPORT; CHECK THE REPORT FOR COMPLETENESS AND ACCURACY ENSURING THAT THE FOLLOWING ARE INCLUDED ON THE REPORT
- (c) ANY PHYSICAL EVIDENCE AND ITS DISPOSITION
  - (h) DATE/TIME OF OCCURRENCE
  - (i) LOCATION OF INCIDENT

FURTHER, SOP 209.01 OFFENDER DISCIPLINE (3)(a) STATES THE OFFENDER(S) CHARGED WITH A VIOLATION SHALL BE SERVED WITH A COPY OF THE DISCIPLINARY REPORT THAT WILL INCLUDE A FACTUAL STATEMENT OF THE ~~CHARGE~~ CHARGES INCLUDING A DESCRIPTION OF THE INCIDENT SPECIFIC RULES VIOLATED WITHIN 24 HOURS OF SAID VIOLATIONS.

THE DISCIPLINARY HEARING OFFICER MS. EVONNE FOYE DISREGARDED THE PROCEDURES IN WHICH GOVERNS THE CONDUCT OF A DISCIPLINARY HEARING AND MALICIOUSLY FOUND ME GUILTY BASED ON HER FINDING AND PERSONAL OPINION THAT "I WAS THE ONLY PERSON IN THE CELL WITH THE UNKNOWN OFFENDER" AND FURTHER FOUND ME GUILTY ON A DISCIPLINARY REPORT THAT WASN'T WRITTEN IN ACCORDANCE WITH SOP 209.01 OR GOVERNED BY DUE PROCESS THAN SHE OVER SANCTIONED ME WITH AN EXCESSIVE SANCTION

OF 180 DAYS STORE, RECREATION, TELEPHONE, PACKAGE, LIBRARY AND VISITATION RESTRICTIONS IN VIOLATION OF SOP 209.01 DISCIPLINARY REPORT SANCTIONS WHICH STATES "THE FOLLOWING IS A LIST OF ACCEPTABLE SANCTIONS WHICH CAN BE USED FOR DISCIPLINARY ACTION. THE DISCIPLINARY ACTION TAKEN SHOULD BE THE MINIMUM FOR EACH SPECIFIC CASE TO ESTABLISH AND MAINTAIN OBEDIENCE, ORDER AND GOOD CONDUCT. ALL DISCIPLINARY ACTIONS SHOULD BE PROGRESSIVE IN NATURE AND ONLY MINIMUM SANCTIONS OF ISOLATION AND T.P.M. EXTENSION (TRANSITIONAL CENTERS ONLY) SHALL BE UTILIZED ON FIRST AND SECOND OFFENSES.

(A) GREATEST SEVERITY OFFENSE(S) (NO MORE THAN 90 DAYS EXCEPT WHERE INDICATED)

(b) PRISON RESTRICTIONS OF PRIVILEGES TO INCLUDE STORE, LIBRARY, RECREATION, LIVING QUARTERS, GROUP ACTIVITIES, PACKAGES AND TELEPHONE UP TO 90 DAYS

(B) HIGHEST SEVERITY OFFENSE(S) (NO MORE THAN 60 DAYS EXCEPT WHERE INDICATED)

(b) PRISON RESTRICTIONS ON PRIVILEGES FOR UP TO 60 DAYS

THE PLAINTIFF DISCIPLINARY REPORT WAS A HIGH SEVERITY OFFENSE AND THE PLAINTIFF SHOULD NOT HAVE RECEIVED OR ~~SANCTIONED~~ BEEN SANCTIONED TO NO MORE THAN 60 DAYS PRISON RESTRICTIONS ON THE DISCIPLINARY REPORT, HOWEVER, THE PLAINTIFF WAS EXCESSIVELY SANCTIONED WITH 180 DAYS OF EVERY

Prison restriction on a Disciplinary Report that should have been dismissed and more so, for some acts I did not commit.

The Guilty finding of this Disciplinary Report also served the purpose of destroying the Plaintiff institutional record of remaining disciplinary ~~report~~ report free and prohibiting the Plaintiff from making parole upon his next parole date because of this wrongfully finding of guilty on this Disciplinary Report.

The finding of guilty on this Disciplinary Report more so served the purpose of having the Plaintiff placed on Administrative Segregation **Tier II** where I have no personal property and afforded no state issued items and must complete a 3 phase program ~~before~~ enduring 24 hour confinement to cell because they don't run yard period and don't do cell ~~sanitation~~ clean out once a month, before I'm able to be considered for general population again.

Unit Manager Evonne Foye was not an impartial decision maker guaranteed by the due process clause... she had a fixed opinion and had already formed her decision and/or found me guilty before she even appeared at my cell for the disciplinary hearing.

OFFICER MS. DAISY MORRIS WRONGFULLY ENGINEERED THIS PUNISHMENT BY FABRICATING A DISCIPLINARY REPORT WITH SERIOUS CHARGES KNOWING THAT ITS FALSEHOOD WOULD LEAD TO THE PLAINTIFF BEING WRONGFULLY FOUND GUILTY AND GIVEN PRISON RESTRICTIONS ALONG WITH BEING ASSIGNED TO TIER II WHERE HE HAS TO COMPLETE A 3 PHASE 9 MONTHS TO 12 MONTHS LOCKDOWN PROGRAM, THROUGHOUT THE COURSE OF DAYS LEADING UP TO THIS THE PLAINTIFF DISCIPLINARY HEARING, WARDEN IVEY WOULD APPEAR FOR INSPECTION AND HAVE THE PLAINTIFF CELL SEARCHED THEN STATED "YOU GOING TO TIER II".

AFTERWARDS, HE WOULD INSTRUCT ONE OF HIS OFFICERS TO MOVE ME TO G-2 BUT BEFORE ANY OF THIS OCCURRED, WARDEN IVEY WOULD HAVE EITHER SGT. REDD, SGT. DIXON OR CPT TEAM SGT. SWINT TO SEARCH MY ASSIGNED CELL G-1-109 AT THE TIME AND UPON THEM SEARCHING, THEY WOULD ~~LEAVE MY LEGAL~~ STEAL MY LEGAL DOCUMENTS AND FINANCIAL INFORMATION. EACH HAS STOLEN MY LEGAL DOCUMENTS AND FINANCIAL INFORMATION.

FURTHERMORE, DURING ONE SEARCH OF MY CELL, I OVERHEARD ONE OF THESE PRISON OFFICIALS STATE "IVEY SAID FIND THAT LAWSUIT HE FILED AGAINST HIM".

THESE CELL SEARCHES HAPPENED SEVERAL TIMES BEFORE I WAS FORCED TO MOVE INTO THE CELL WITH THE ~~UNKNOWN~~ UNKNOWN INMATE WHO BEGAN STABBING HIMSELF AND I WAS WRONGFULLY BLAMED AND WRITTEN UP FOR IT.

ON 1-23-25, WARDEN IVEY INSTRUCTIONS FOR ME TO BE MOVED TO G-2 TIER II WAS CARRIED OUT BY CPT TEAM SGT. WALDEN AND CPT TEAM SGT. SWINT WHO MOVED ME TO G-2-142 WHERE I WAS ASSIGNED TO ~~TIER~~ TIER II PHASE 1.

ON 1-24-25 I WAS ESCORTED TO G-1 MEDICAL SICK CALL ROOM... I SEEN BY NURSE STONE STORM BUT UPON ARRIVING AT THE SICK CALL DOOR AND ENTERING THE ROOM, WARDEN IVEY GREETED ME AND BEGAN CURSING ME OUT AND DECLARING "YOU STABBED THAT MAN UP"... I REPLIED "I DIDN'T STAB NOBODY"... HE CONTINUED "YEAH, YOU WAS STANDING OVER HIM WITH YOUR HANDCOVERED IN BLOOD"... I ASKED "WHERE YOU THERE? YOU SPREADING PROPAGANDA, YOU LYING ON ME"

WARDEN IVEY BEGAN TELLING "YEAH, YOU DID IT, YOU'RE BAD A-- RICO BALLARD, SO YOU DID IT AND I'M TELLING YOU I'M TAKING IT PERSONAL," MATTER OF FACT I'M GOING TO PUT HIM ~~UP~~ OR SOMEBODY ELSE IN THE CELL WITH YOU WHILE YOU'RE HANDCUFFED AND LET THEM STAB YOU UP WHILE YOU DON'T HAVE A KNIFE"

I THEN DECLARED "IT DOESN'T MATTER WHAT YOU DO BECAUSE I'MA FILE THAT PAPERWORK ON YOU AND IF ANYTHING HAPPEN TO ME, THE COURTS GONE KNOW ABOUT IT"

WARDEN IVEY STARED AT ME THEN SUMMONED CERT TEAM SGT. WALDEN INTO THE SICK CALL ROOM AND INSTRUCTED "WHEN YOU TAKE HIM BACK TO THE CELL, MAKE SURE YOU TAKE HIS PANTS AND ANY PERSONAL PROPERTY HE HAS", BALLARD YOU STAYING ON TIER II UNTIL YOU BEG ME TO LET YOU OFF, YOU GONE BEG ME" ..

I SAT THERE QUIETLY AFTER HIS STATEMENT BECAUSE I DID NOT WANT TO PROVOKE A PHYSICAL ALTERCATION BETWEEN MYSELF, HIM OR THE CERT TEAM SGT. WALDEN ... NONETHELESS, SUDDENLY WARDEN IVEY STATED "TAKE HIM BACK TO HIS CELL" ... I WAS ESCORTED BACK TO MY NEWLY ASSIGNED ROOM G-2-142 WHERE CERT TEAM SGT. WALDEN CONFISCATED MY PANTS

WARDEN IVEY HAS CONTINUOUSLY HARRASSED AND RETALIATED AGAINST ME SINCE I FILED A 42 USC 1983 ON 12-3-24 ABOUT WHAT HAPPENED TO ME ON MAY 25<sup>TH</sup> THROUGH MAY 26<sup>TH</sup> 2024

WARDEN IVEY HAS ALSO RETALIATED AGAINST ME FOR THE FALSE ALLEGATIONS MADE AGAINST ME REGARDING MY UNKNOWN ROOMMATE BEING STABBED SEVERAL TIMES WHICH WAS A RESULT OF HIS OWN ACTIONS.

ON 1-24-25 WARDEN IVEY THREATENED MY LIFE AT MEDICAL SICK CALL WHEN HE DECLARED "MATTER OF FACT, I'M GOING TO PUT HIM ~~OR~~ OR SOMEBODY ELSE IN THE CELL WITH YOU WHILE YOU'RE HANDCUFFED AND LET THEM STAB YOU UP WHILE YOU'RE ~~HAND~~ ~~HANDCUFFED~~ ~~HANDCUFFED~~ DON'T HAVE A KNIFE"

"I the Plaintiff Rico Lamar Ballard Declare under the penalty of Perjury that "I AM IN imminent DANGER of serious PHYSICAL HARM and injury at HANCOCK state PRISON AGAIN AND WARDEN IVEY HAS THREATENED my life"

OFFICER DARY MORRIS VIOLATED MY FIRST, EIGHTH AND FOURTEENTH AMENDMENT RIGHTS BY WRONGLY ENGINEERING MY PUNISHMENT BY FABRICATING A SERIOUS CHARGE AGAINST ME KNOWING THAT THE FALSEHOOD WOULD LEAD TO MY IMMEDIATE REASSIGNMENT STATUS TO ADMINISTRATIVE

SEGREGATION PENDING DISCIPLINARY HEARING WITHOUT AN INTERVENING HEARING.

FURTHER, OFFICER DAISY MORRIS VIOLATED MY FIRST, EIGHTH AND FOURTEENTH AMENDMENT DUE PROCESS RIGHTS BY MAKING FALSE ALLEGATIONS THAT LED TO THE FINDING OF GUILTY BY SOMEONE NOT AN IMPARTIAL DECISIONMAKER (HEARING OFFICER) WHICH RESULTED IN ME GETTING AN EXCESSIVE UNWARRANTED AND UNAUTHORIZED SANCTIONS OF PHONE VISITATION, PACKAGE STORE, LIBRARY, RECREATIONS ALONG WITH PERMANENT LOCKDOWN ON ADMINISTRATIVE SEGREGATION TIER II PROGRAM AND DEPRIVED OF MY CONSTITUTIONAL RIGHTS

UNIT MANAGER MS. EVONNE FOYE THE ~~DISCIPLINARY~~ DISCIPLINARY HEARING OFFICER VIOLATED MY FIRST, EIGHTH AND FOURTEENTH AMENDMENT DUE PROCESS RIGHTS BY FAILING TO AFFORD ME PROCEDURE DUE PROCESS AT THE DISCIPLINARY HEARING WHEN SHE FOUND ME GUILTY ON A CHARGE WHERE (1) THE FACTUAL STATEMENT DID NOT SUPPORT THE CHARGE; (2) DID NOT DESCRIBE AN ASSAULT; (3) DID NOT DESCRIBE AN INJURY; (4) DID NOT STATE ANY PHYSICAL EVIDENCE; (5) DID NOT STATE THE EXACT DATE, TIME OR LOCATION; (6) DID NOT INCLUDE A DESCRIPTION OF THE INCIDENT; (7) DID NOT DESCRIBE HOW THE PERSON WAS INJURED OR ASSAULTED; (8) DID NOT HAVE THE CORRECT DATE OR TIME ~~AND SHE~~

AND SHE BASED HER FINDING SOLELY ON THE FACT THAT I WAS THE ONLY PERSON IN THE CELL WITH HARM AND FURTHER SHE VIOLATED MY FIRST, EIGHTH AND FOURTEENTH AMENDMENT DUE PROCESS RIGHTS BY FINDING ME GUILTY AND ~~NOT~~ NOT BEING AN IMPARTIAL DECISIONMAKER (HEARING OFFICER) WHICH RESULTED IN HER EXCESSIVE UNWARRANTED AND UNAUTHORIZED SENTENCING TO AN EXCESSIVE SANCTION OF 180 DAYS PHONE VISITATION PACKAGE, STORE, RECREATION AND LIBRARY RESTRICTIONS AND LEAD TO ME BEING PLACED / ASSIGNED TO PERMANENT LOCKDOWN ON ADMINISTRATIVE SEGREGATION TIER II PROGRAM

WARDEN GEORGE IVEY VIOLATED MY FIRST, EIGHTH AND FOURTEENTH AMENDMENT RIGHTS BY REPEATEDLY HARASSING, RETALIATING AGAINST AND THREATENING MY LIFE WHICH HAS RESULTED IN THE DEPRIVATIONS OF MY RIGHTS: EXCESSIVE UNAUTHORIZED SANCTIONS OF PRISON RESTRICTIONS; STOLEN LEGAL DOCUMENTS; STOLEN FINANCIAL INFORMATION; REFUSAL ~~OF LEGAL~~ / WITHHOLDING LEGAL MAIL; ASSIGNMENT TO TIER II

FURTHER, RESULTED IN FEAR AND TERROR INDUCED WITHIN MY LIFE AS A RESULT OF THE THREAT TO MY LIFE BY WARDEN IVEY

14. List the name and address of every person you believe was a WITNESS to the incident(s) you complain about, BRIEFLY stating what you believe each person knows from having seen or heard what happened. (USE ADDITIONAL SHEETS, IF NECESSARY)

15. BRIEFLY state exactly what you want the court to do for you. That is, what kind of relief are you seeking in this lawsuit? Do not make any legal arguments and do not cite any cases or statutes! (USE ADDITIONAL SHEETS, IF NECESSARY)

- (1) THAT I AM AWARDED \$250,000.00  
TWO ~~FOR~~ HUNDRED AND FIFTY THOUSAND DOLLARS  
IN DAMAGES FROM EACH DEFENDANT  
(2) THAT THE DISCIPLINARY REPORT IS EXPUNGED  
(3) THAT BOTH WARDEN GEORGE IWEY AND UNIT MANAGER  
EVONNE FOYE EMPLOYMENT AT HANCOCK STATE PRISON  
IS TERMINATED  
(4) THAT I AM IMMEDIATELY TRANSFERRED

16. You may attach additional pages if you wish to make any legal argument. However, legal arguments are NOT required in order for you to obtain relief under §1983. If the court desires legal argument from you, it will request it. If any defendant presents a legal argument, you will be afforded an opportunity to respond thereto.

17. KEEP IN MIND THAT ONCE YOUR LAWSUIT IS FILED, THE COURT WILL REQUIRE YOU TO DILIGENTLY PROSECUTE IT. That means that you will be required to go forward with your case without delay. Thus, if you fail to adequately prepare your case before you file it, you may find your lawsuit dismissed for failure to prosecute if you take no action once it is filed. YOU WILL RECEIVE NO FURTHER INSTRUCTIONS FROM THE COURT TELLING YOU WHAT TO DO OR HOW TO DO IT! IT IS YOUR RESPONSIBILITY AND YOURS ALONE TO PROSECUTE YOUR OWN CASE! If you fail to prosecute your case, it will be dismissed under Rule 41 of the Federal Rules of Civil Procedure.

Signed this 25<sup>TH</sup> day of MARCH, 20 25

Russ L. Ball  
PLAINTIFF 886719

## CERTIFICATE OF SERVICE

I do HEREBY CERTIFY THAT I HAVE THIS DAY  
DEPOSITED A ACCURATE COPY OF THE FOREGOING 42 USC  
1983 IN THE US MAIL WITH AFFIXED POSTAGE ADDRESSED  
AND SERVED ON THE OPPOSITE PARTIES THROUGH THIS  
HONORABLE COURT AT;

(1) OFFICE OF THE CLERK  
United States District Court  
Middle District of Georgia  
P.O. BOX 128  
Macon, GA 31202

2) WARDEN GEORGE LUEY  
UNIT MANAGER EVONNE FOYE  
OFFICER DAISEY MORRIS  
Hancock State Prison  
P.O. BOX 339  
SPARTA, GA 31087

THIS THE 25<sup>TH</sup> DAY OF MARCH 2025  
Rico La. Ball 886719  
Rico L. Ballard 886719  
Hancock State Prison  
P.O. BOX 339  
SPARTA, GA 31087

CLERK OF THE CLERK

DATE: \_\_\_\_\_

Rico L. Ballard P886719  
RICO L. BALLARD 886719

### CERTIFICATE OF SERVICE

I do HEREBY CERTIFY THAT I HAVE THIS DAY  
DEPOSITED A ACCURATE COPY OF THE FOREGOING  
42 USC 1983 <sup>summons</sup> IN THE US MAIL WITH AFFIXED  
POSTAGE ADDRESSED AND SERVED ON THE OPPOSITE  
PARTIES THROUGH THIS HONORABLE COURT AT:  
OFFICE OF THE CLERK

UNITED STATES DISTRICT OF GEORGIA

P.O. BOX 128  
MACON, GA 31202

WARDEN GEORGE IVEY  
UNIT MANAGER EVONNE FOYE

OFFICER DAISY MORRIS

HANCOCK STATE PRISON

P.O. BOX 339  
SPARTA, GA 31087

THIS THE 25<sup>TH</sup> DAY OF MARCH 2025

Rico L. Ballard P886719

RICO L. BALLARD 886719

HANCOCK STATE PRISON

P.O. BOX 339

SPARTA, GA 31087